

Important Notice Regarding Personal Data Identifiers and Other Sensitive Information

ELECTRONIC AVAILABILITY OF CASE FILE INFORMATION AND REMINDER REGARDING PERSONAL DATA IDENTIFIERS AND OTHER SENSITIVE INFORMATION

Litigants and counsel of record are strongly advised to follow and adhere to the rules, policies, and procedures regarding personal data identifiers to ensure that personal or otherwise sensitive information is appropriately redacted from court filings.

Personal identifier information is not to be included in any document filed with the court unless such inclusion is necessary and relevant to the case. Any personal information not otherwise protected will be made available over the Internet via PACER. Furthermore, be advised that the responsibility to redact filings rests with counsel and the party or non-party making the filing. The clerk is not required to review documents filed with the court for compliance with the privacy rules.

In accordance with Federal Rule of Civil Procedure 5.2, and Federal Rule of Criminal Procedure 49.1, unless the court orders otherwise, parties should refrain from including the following personal identifiers in documents (whether electronic or paper) when filed with the court. If a filing contains the following items, the filing party must redact as follows:

- Social Security numbers redacted to the last four numbers, e.g., xxx-xx-1234
- Names of Minor Children redacted to initials only, e.g., A.B.
- Dates of Birth redacted to the year only, e.g., 1950
- Financial Account Numbers redacted to the last four digits, e.g., xxxxxxxx3567
- Tax-payer identification information to the last four digits, e.g., xx-xxxx4578
- Personal Addresses redacted to the city and state in criminal cases only, e.g., Portland, OR.

In addition, filers are advised to exercise caution when filing documents that contain the following:

1. Personal identifying number, such as driver's license number;
2. Medical records, treatment and diagnosis;
3. Employment history;
4. Individual financial information; and
5. Proprietary or trade secret information

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers specified above have the following options. The filer may submit an unredacted document under seal. This document will be retained by the court as part of the record. The court may, however, still require the party to file a redacted copy for the public file. Alternatively, the filer may submit a reference list under seal. The reference list is to contain the complete personal data identifier and the redacted identifiers used in their place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete identifier. The reference list is to be filed under seal, retained as part of the court record, and may be amended as of right.

Counsel are strongly urged to share this notice with all clients so that an informed decision about the inclusion of certain materials may be made.